

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Anthony McKay,)
)
)
 Plaintiff,)
v.)
)
Amalgamated Transit Union Local 308,) Case No. 08 C 1076
) Judge Grady
) Magistrate Judge Nolan
 Defendant.)

MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD

Now comes Defendant, Amalgamated Transit Union Local 308, by and through its attorney, Anita Tanay, and moves the Court for an extension of time to file an Answer to the Complaint, or otherwise plead. In support of this motion, Defendant states as follows:

1. The Complaint was filed on February 21, 2008 and was served on the Defendant on March 5, 2008;
2. On or about March 19, 2008, Counsel for Defendant served notice, pursuant to Rule 11 of the Federal Rules of Civil Procedure, to Michael T. Smith, Plaintiff's Counsel, that Defendant intends to file a Rule 11 motion for sanctions unless the Complaint is withdrawn .
3. The motion for sanctions cannot be filed before April 9, 2008, 21 days after service of the notice pursuant to Rule 11.
4. Defendant's response to the Complaint is due March 25, 2008, prior to earliest date that Defendant may file its Rule 11 motion.
5. The extension of time to respond to the Complaint may, depending on Plaintiff's response to Defendant's Rule 11 notice, render such response unnecessary.

WHEREFORE, Defendant respectfully requests that the time for filing its response to the Complaint be extended to and including April 16, 2008.

Respectfully submitted,

AMALGAMATED TRANSIT UNION LOCAL 308,

By: /s/ Anita Tanay
One of their attorneys

Anita Tanay
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CERTIFICATE OF SERVICE

I certify that on March 19, 2008, I electronically filed the foregoing **MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD** with the Clerk of the court using the CM/ECF system, which sent notification of such filing to the following counsel of record:

Michael T. Smith, Esq.
Law Offices of Michael T. Smith
440 West Irving Park Road
Roselle, IL 60172

/s/ Anita Tanay
Anita Tanay